



Columbia County Planning Commission  
Proposed Agenda for March 17, 2016 at 6:00 P.M.  
Evans Government Center Auditorium  
Evans, Georgia

Planning Commissioners:  
Countywide - Jim Cox

District 1 – Chris Noah  
Vice-Chairman – Donald Skinner

District 3 – Richard Henderson, Sr.  
District 4 – Dewey Galeas

- A. CALL TO ORDER..... Chairman Cox
- B. INVOCATION ..... Chairman Cox
- C. PLEDGE OF ALLEGIANCE..... Chairman Cox
- D. ROLL CALL / QUORUM ..... Chairman Cox
- E. APPROVAL OF THE MINUTES OF PREVIOUS MEETING ..... Chairman Cox
  - 1. March 3, 2016
- F. APPROVAL OF THE AGENDA ..... Chairman Cox
- G. PRESENTATION..... Chairman Cox
- H. DEBATE AGENDA ..... Chairman Cox
  - 1. Unfinished Business ..... Chairman Cox
    - a. Rezoning
      - 1. None
    - b. Variance
      - 1. None
  - 2. New Business ..... Chairman Cox
    - a. Conceptual Plan
      - 1. None
    - b. Preliminary Plat
      - 1. None
    - c. Final Plat
      - 1. **Hidden Creek, Sections F and G**, located off of Baker Place Road, zoned PUD (Planned Unit Development), 85 lots, 25.33 +/- acres, Tax Map 051 Parcel 1045, *Commission District 3. **Staff Assignment Nayna Mistry.***
    - d. Rezoning
      - 1. **RZ16-03-09, (Public Hearing)**, County Initiated Rezoning from PUD (Planned Unit Development) to PUD (Planned Unit Development), Tax Map 072 Parcel 231R, 24.70+/- acres, The Plaza at Evans Town Center. *Commission District 1. **Staff Assignment, Andrew Strickland.***
      - 2. **RZ16-03-08, (Public Hearing)**, Rezone from M-2 ((General Industrial) to M-1 (Light Industrial), Tax Map 072 Parcel 043X, 2.02+/- acres, located at 5104 Pierce Court. *Commission District 1. **Staff Assignment, Will Butler.***

e. Plan Revision

1. None

f. Variance / Variation

1. **VA16-03-03, (Public Hearing)**, Variance to Section 90-98 *List of Lot and Structure Requirements*, 2.02+/- acres, Tax Map 072 Parcel 043X, 5104 Pierce Court. *Commission District 1. Staff Assignment, Will Butler.*

g. Items Added (which need immediate action or have not gone before Committee)

1. **Temporary Use Permit (TUP)**, Tax Map 042 Parcel 095, 1.51 +/- acres, located at 6123 Veterans Drive. *Commission District 4. Staff Assignment, Nayna Mistry.*

I. LEGAL MATTERS ..... County Attorney Driver

1. None

J. STAFF AND COMMISSIONER COMMENTS ..... Chairman Cox

1. None

K. PUBLIC COMMENTS AND PARTICIPATION ..... Chairman Cox

*\*April 7, 2016 Planning Commission cancelled.* The next scheduled Planning Commission meeting is **April 21, 2016** at 6:00 P.M. in the Auditorium of Building A at the Evans Government Center.



# FINAL PLAT

March 17, 2016

HIDDEN CREEK,  
Sections F and G

## Property Information

Subdivision Name	Hidden Creek, Sections F and G
Location/address	Off Baker Place Road
Tax Map / Parcel	Tax Map 051 Parcel 1045
Total Acreage	25.33 acres
Number of lots/units	85
Zoning	PUD (Planned Unit Development)
Surveyor	James G Swift & Associates
Commission District	District 3 (Richardson)
Recommendation	Approval

## Summary and Recommendation

Jerry Greenway seeks final plat approval for 85 residential lots on 25.33 acres located off Baker Place Road. The property is zoned PUD (Planned Unit Development). The Board of Commissioners approved the PUD zoning in January of 2007 with subsequent revisions in July of 2009 and November of 2014. The preliminary plat was approved on August 6, 2015.

The average residential lot size is 9,629 square-feet with a minimum lot size of 6,036 square-feet. The lots in Section F will have a 25 foot setback from the right of way, while those in Section G will have a 15 foot setback. Each lot will have 5-foot side setbacks and 10-foot rear setbacks.

Sidewalks are proposed on both sides of the internal streets; the developer will be responsible for installing all sidewalks around open space areas prior to the expiration of the warranty period. 1.22 acres of open space are provided in these phases.

The submitted final plat appears to substantially comply with the approved preliminary plat.

Staff recommends **approval**.



# REZONING

March 17, 2016

FILE : RZ16-03-09

PUD to PUD

Property Information	
Tax Map/Parcel ID	Tax Map 072 Parcel 231R
Address/Location	North Belair Road
Acreage (+/-)	24.7 +/- acres
Current Zoning	PUD (Planned Unit Development)
Existing Use	Vacant
Request	PUD (Planned Unit Development)
Commission District	District 1 (Duncan)
Recommendation	Approval

## Summary and Recommendation

The Columbia County Board of Commissioners, serving as both owner and applicant, requests a rezoning from PUD (Planned Unit Development) to PUD for Tax Map 072 Parcel 231R, 24.7 +/- acres located off North Belair Road and Evans Town Center Boulevard.

The property in question is located between Evans Town Center Boulevard and North Belair Road. This property was zoned PUD (Planned Unit Development) in 2004 (RZ04-07-06) as part of Marshall Square development; lots in the northern section of this PUD have been developed for a variety of businesses, while the subject parcel has remained vacant.

The property is to be developed as a commercial and cultural center for Columbia County. The PUD documents outline a form-based code to ensure compatible styles of development and a mix of civic, commercial, office, and residential uses organized around a central green. The property will be developed in phases, with the first phase being adjacent to Evans Town Center Boulevard, across from the Evans Town Center Park and Lady Antebellum amphitheater.

The guidelines as presented provide a comprehensive guide for development of the property in accordance with the comprehensive plan vision for the Evans Activity Center. Permitted uses in the development will include the following:

- Art gallery
- Art supplies
- Bakery
- Bicycle shop
- Book store
- Clothing store
- Gifts or novelties
- Grocery
- Hair salon
- Household products
- Jewelry store
- Restaurant
- Counseling
- Design studio
- Financial
- Medical offices
- Professional offices
- Real estate
- Live-work units
- Multi-family
- Townhouse



# REZONING

March 17, 2016

FILE : RZ16-03-09

PUD to PUD

Uses such as adult businesses, title pawns, bail bonds, and tattoo and massage parlors will be prohibited.

This property is part of the proposed Evans Town Center Activity Center in the revision to the comprehensive plan. The intent of this activity center is to provide a mixed use center incorporating higher density residential, retail, office, civic and open space components in a denser, more walkable development pattern. The proposed PUD achieves these goals and is in keeping with the intent of the proposed Activity Center.

Staff recommends **approval** of the rezoning from PUD (Planned Unit Development) to PUD for Tax Map 072 Parcel 231R, 24.7 +/- acres located off North Belair Road and Evans Town Center Boulevard.

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Comments:

### Building Standards:

Ensure all applicable codes provided by the International Building Code, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

### Fire Marshal:

To comply with applicable fire codes.

### Health Department:

This project should be on county water and sewer, therefore, the Health Department does not need to be contacted prior to advancement of the project and there are no specific comments or conditions.

### Planning:

No variances from Code have been applied for, nor have any variances been extended or implied by the County. Conditions supplement but do not eliminate other code requirements. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

### Sheriff:

Thefts and property damage are crimes generally associated with commercial and recreational developments. To deter these and other crimes from occurring, the Plaza would require concentrated patrols during all phases of the project.

### Stormwater Management:

1. The site improvements will disturb more than one acre, therefore, the proper NPDES permit and associated fees must be submitted to the Georgia Environmental Protection Division (EPD) and Columbia County 14 days prior to land disturbance.

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2. Stormwater detention will be required unless site improvements result in no net increase in runoff.
3. Stormwater quality will be required.

**Water and Sewer:**

Water and sewer service is available to the property. Water and sewer flow tests will be needed to determine available capacities.

## Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**  
The proposed zoning is suitable for the intended use of the property and in relation to the adjacent property uses. Adjacent properties are largely professional in nature.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**  
The proposal will not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**  
The property does have a reasonable economic use as currently zoned.
4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**  
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**  
The future land use map shows this area as a designated mixed use activity center, with emphasis placed on pedestrian connectivity. The proposal meets this intent.
6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**  
The proposal meets this test.



# REZONING

March 17, 2016

FILE : RZ16-03-08

M-2 to M-1

Property Information	
Tax Map/Parcel ID	Tax Map 072 Parcel 043X
Address/Location	5104 Pierce Court
Acreage (+/-)	2.02 +/- acres
Current Zoning	M-2 (General Industrial)
Existing Use	Vacant
Request	M-1 (Light Industrial)
Commission District	District 1 (Duncan)
Recommendation	Approval

## Summary and Recommendation

Owner and applicant Mark Herbert requests a rezoning from M-2 (General Industrial) to M-1 (Light Industrial) for Tax Map 072 Parcel 043X, 2.02 +/- acres located at 5104 Pierce Court. Subject property is located within the Evans Town Center Overlay District.

The property in question is located at the end of Pierce Court and backs up to the CSX railroad. Adjacent properties are zoned M-2 (General Industrial).

The applicant is proposing to develop the property for office and warehouse space, including space for construction offices. The proposed uses are suitable for the proposed zoning classification and the applicant has submitted a proposed subdivision of the existing lot into three separate lots meeting standards for M-1. In addition, the applicant has also applied for a variance (VA16-03-03) to remove the front maximum building setback and reduce the rear setback.

Staff is comfortable with the request because it provides a “stepdown” in zoning from the M-2 properties adjacent to it and the residential properties to the southeast. In addition, please note that the request will permit a 20,000 square foot lot size (0.46 AC) as compared to the 2 acre minimum in M-2. The applicant has submitted a conceptual for a three lot subdivision as well. Further comment is provided in the evaluation below.

Staff recommends **approval** of the rezoning from M-2 (General Industrial) to M-1 (Light Industrial) for Tax Map 072 Parcel 043X, 2.02 +/- acres located at 5104 Pierce Court.





# REZONING

March 17, 2016

FILE : RZ16-03-08

M-2 to M-1

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

### Comments:

#### **Building Standards:**

Ensure all applicable codes provided by the International Building Code, National Electrical Code, International Mechanical Code, International Fuel Gas Code, and International Plumbing Code be met.

#### **Fire Marshal:**

To comply with applicable fire codes.

#### **Health Department:**

This project should be on county water and sewer, therefore, the Health Department does not need to be contacted prior to advancement of the project and there are no specific comments or conditions.

#### **Planning:**

Conditions supplement but do not eliminate other code requirements which pertain to site development. Variances have been applied for, but no additional variances from the Code have been expressed or implied. In case of conflicts, the more restrictive item shall prevail over the less restrictive item.

#### **Sheriff:**

Commercial construction sites are high risk areas for thefts and property damage. During the construction phase of this project, the Sheriff's Office will implement patrols to prevent these type of crimes from occurring.

#### **Stormwater Management:**

1. The site improvements will disturb more than one acre, therefore, the proper NPDES permit and associated fees must be submitted to the Georgia Environmental Protection Division (EPD) and Columbia County 14 days prior to land disturbance.
2. Stormwater detention will be required unless site improvements result in no net increase in runoff.
3. Stormwater quality will be required.

#### **Water and Sewer:**

Water and sewer service is available to the property.



## Criteria for Evaluation of Rezoning Proposal

1. **Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.**  
The proposed revision is suitable for the property, as well as adjacent and nearby property.
2. **Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.**  
The proposal will not adversely impact adjacent or nearby properties.
3. **Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.**  
The property does have a reasonable economic use as currently zoned.
4. **Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.**  
The proposal will not cause an excessive burden on existing facilities.
5. **If the local government has an adopted land use plan, whether the zoning proposal is in conformity with the policy and intent of the land use plan.**  
The adopted future land use map shows this area as industrial; however, the map is currently under revision. *Please note the following is provided as an exercise only and is not intended as comment.* The proposed future development map, which has not been adopted and is subject to change, delineates this property as part of the Evans Town Center Activity Center. The intent of an activity center is to enhance and create concentrated commercial uses, employment centers, and mixed use development in defined areas that are served by a network of paths suitable for pedestrians, as well as cars. Further, activity centers are classified into three categories: Commercial, Mixed Use, and Employment. The Evans Town Center Activity Center is a Mixed Use Center and the primary future land uses are as follows: shops, restaurants, office, higher density residential, civic uses, and open space. In staff's opinion, the request is suitable because it is providing office space. While this is more intense than a traditional office use since it also includes warehousing, the location within an existing industrial park is acceptable. Again, please note that the comments provided utilizing the proposed future development map is solely considered an exercise.
6. **Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.**  
Staff is not aware of any at this time.
7. **Whether the proposal reflects a reasonable balance between the promotion of health, safety, and welfare against the right to unrestricted use of property.**  
The proposal meets this test.



# VARIANCE

March 17, 2016

FILE : VA16-03-03

Variance

Property Information	
Tax Map/Parcel ID	Tax Map 072 Parcel 043X
Address/Location	5104 Pierce Court
Acreage (+/-)	2.02 +/- acres
Current Zoning	M-2 (General Industrial)
Existing Use	Vacant
Request	Variance to Section 90-98 <i>List of Lot and Structure Requirements</i>
Commission District	District 1 (Duncan)
Recommendation	Approval with Conditions

## Summary and Recommendation

Owner and applicant Mark Herbert requests a variance to Section 90-98 *List of Lot and Structure Requirements* for one parcel, Tax Map 072 Parcel 043X, 2.02 +/- acres located at 5104 Pierce Court, currently zoned M-2 (General Industrial) to remove the maximum front setback requirement and reduce the rear setback requirement for the subject property located within the Evans Town Center overlay district. An application for rezoning to M-1 (Light Industrial) has also been submitted under RZ16-03-08.

The property in question is located at the end of Pierce Court and backs up to the CSX railroad line (staff has verified that CSX is not concerned with the proposed variance request). Adjacent properties are zoned M-2 (General Industrial). The property is located within Evans Town Center and therefore has both minimum and maximum front setback requirements. Pierce Court is a land service street; therefore the required front setback is a minimum of 5 feet from the street right of way and a maximum of 55 feet from the centerline of the street.

The applicant is proposing to develop the property for office and warehouse space, including space for construction offices, and has submitted a rezoning request (RZ16-03-08) for M-1 Light Industrial. In a narrative submitted by the applicant, the cited rationale for the variance is due to the pie shaped lot, the location on a cul-de-sac limiting usable space, that all other buildings within the development are constructed outside of the 55 foot maximum, and that flexibility is needed on the proposed lot 3-C to allow for better placement of a building (for the rear setback). In addition, the rear setback line is shown at 20 feet for all three lots.

Overall, staff agrees with the rationale submitted by the applicant. In terms of the rear setback, since this property does abut the CSX railway and not a residential property, staff is comfortable with the request to lower it to the same distance as the buffer on lot 3C. However, staff is concerned about the potential for visibility of the lots denoted as 3A & 3B to the residential properties to the southeast. Lot



# VARIANCE

March 17, 2016

FILE : VA16-03-03

Variance

3C drops approximately 9 feet from the rear lot line to the proposed 20' setback and with a privacy fence will have nearly 15 feet of screening, not counting any trees currently in place. However, lots 3A & 3B do not have similar topography and have the potential for increased visibility to the residential properties to the southeast. Because of this concern, staff recommends the conditions that the rear setback on these two lots remain at 30 feet as indicated in the code, "gaps" in the rear buffer be supplemented with evergreens, and a 6' wooden privacy fence be required along the rear property lines of all three lots.

Staff recommends **approval with conditions** of the variance to Section 90-98 *List of Lot and Structure Requirements* for one parcel, Tax Map 072 Parcel 043X, 2.02 +/- acres located at 5104 Pierce Court, currently zoned M-2 (General Industrial) to remove the maximum front setback requirement and reduce the rear setback.

## Interdepartmental Review

A copy of this staff report, including a list of all recommended zoning conditions, is sent to the applicant and owner of the property in question prior to the public hearing.

## Conditions:

### Planning:

1. Rear setback on submitted lot 3C shall be reduced to 20 feet. Rear setbacks on submitted lots 3A & 3B shall remain at 30 feet.
2. A 6 foot wooden privacy fence is required along the rear property lines of all three lots.
3. Gaps in the rear buffer shall be supplemented with evergreens as needed.
4. Rear buffer shall remain undisturbed. Land disturbance is permitted within the first 5 feet of the buffer and for the wooden privacy fence.

## Comments:

### Fire Marshal:

To comply with applicable fire code.

### Planning:

Conditions supplement but do not eliminate other code requirements. In case of conflicts, the more restrictive item shall prevail over the less restrictive item. Please note Columbia County Code requires the fence to be installed on the highest elevation as per 90-139(b)(3)(c).

### Sheriff:

The Variance Application mentioned the construction of an office warehouse. Commercial construction sites are high risk areas for thefts and property damage. During the construction phase of this project, the Sheriff's Office will implement patrols to prevent these type of crimes from occurring.

## Criteria for Evaluation of Variance Proposal:

1. **There are special circumstances or conditions unique to the property that do not generally apply to the district.**

The surrounding properties are also accessed off of a cul-de-sac, so it is not unique in this case. However, the buildings on the surrounding properties are all built outside of the maximum front setbacks permitted within the Evans Town Center Overlay.

2. **The special circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.**

Applicant still has reasonable use of the land as currently zoned. However, the variance would permit the property to share the same "look" as adjacent properties.

3. **Topographical or other conditions peculiar and particular to the site are such that strict adherence to the requirements of this chapter would cause the owner unnecessary hardship, and would not carry out the intent of this chapter, and that there is no feasible alternative to remedy the situation.**

The lot is not overly different compared to adjacent properties. However, it does have a much smaller lot frontage than the other lots in the area which does limit access and the ability to meet front maximum setbacks.

4. **If granted, the variance shall be in harmony with the general purposes and intent of this chapter, and shall not be injurious to the neighborhood or detrimental to the public welfare.**

The variance with proposed conditions will be in harmony with the purpose and intent of this chapter. The addition of the rear privacy fence will serve to screen the properties from the residential property as well.

5. **In reviewing an application for a variance, the burden of showing that the variance should be recommended and/or granted shall be upon the person applying for the variance.**

The applicant has sufficiently met this burden.

6. **When recommending a variance, the planning commission, or board of commissioners, when granting a variance, may establish reasonable conditions concerning the use of the property, and may establish an expiration date for such variances.**

So noted.

7. **Any variance recommended and/or authorized is to be set forth in writing in the minutes of the planning commission and the board of commissioners, as the case may be, with the reasons for which the departure was justified, and the conditions under which the variance was granted.**

So noted.



# TEMPORARY USE PERMIT

March 17, 2016

<b>Property Information</b>	
<b>Tax Map/Parcel ID</b>	042 095
<b>Address/Location</b>	6123 Veterans Drive
<b>Parcel Size</b>	1.51 +/- acres
<b>Current Zoning</b>	R-A (Residential Agriculture)
<b>Existing Land Use</b>	Residential
<b>Request</b>	Temporary Permission for 2 mobile homes
<b>Commission District</b>	District 4 (Morris)
<b>Recommendation</b>	Approval

## Summary and Recommendation

Owner Melissa Jackson and applicant Marvin Elam request a temporary use permit for a double-wide mobile home to be located on the property at 6123 Veterans Drive (Tax Map 042 Parcel 095). The property is currently zoned R-A (Residential Agriculture).

The site is one of thirteen R-A properties accessed off of Veterans Drive, off of Louisville Road. There is an existing single-wide mobile home on the property. Although the property is zoned R-A, it is only 1.5 acres. County code requires that single-wides be placed on lots that are at least 5 acres, making the existing single-wide a nonconforming use.

The applicant has purchased a used double-wide to replace the current single-wide, but as the double-wide needs some repairs to make it livable, the applicant is requesting a temporary use permit to allow him to keep both mobile homes on the property while he repairs the double-wide. Once the repairs are complete, the single-wide would be moved off of the property and only the double-wide would remain. This would bring the property into zoning compliance.

The temporary use ordinance does require that mobile homes be situated on their own lots; this request does not comply with this section of the temporary use ordinance. There may be some visual impact to the neighbors since the proposed placement of the mobile home is in front of the existing structure, however, this would be temporary until the old mobile home was removed, and there are other mobile homes in the neighborhood, including on the adjacent property.

The applicant has submitted pictures of the existing conditions of the double-wide, which have been reviewed by the building inspectors. Based on the information submitted, the required repairs to the double-wide are feasible in compliance with the applicable residential codes. Since the double-wide is not currently habitable, replacing the single-wide with the new home without the temporary use permit could create a health hazard for the applicant.





# TEMPORARY USE PERMIT

March 17, 2016

The applicant's request does not require an advertised public hearing or review by the Board of Commissioners. If approved, the permit will expire in one (1) year. The temporary mobile home must meet all stated setbacks and must have adequate facilities for water and sewerage. This property is connected to Harlem city water.

After approval of the Temporary Use Permit request by the Planning Commission, a permit application must be submitted to the Building Standards Division and all inspections will be required in accordance with applicable Code(s).

Staff recommends **approval** in accordance with the Temporary Use Permit Ordinance and to aid in bringing the property into zoning code compliance.

## Comments:

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### **Planning:**

The applicant should contact the Health Department to ensure the septic system on the property is appropriate for the double-wide prior to occupancy of the structure.

